

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 30 2005

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

GILBERT GITHERE,

Plaintiff - Appellant,

v.

CONSOLIDATED AMUSEMENT
CORPORATION INC.; et al.,

Defendants - Appellees.

No. 05-16738

D.C. No. CV-04-00116-DAE
District of Hawaii, Honolulu

ORDER

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JAN 03 2006

DISTRICT OF HAWAII

The appellant's late-filed motion for an extension of time in which to file the opening brief is granted. The opening brief is due January 17, 2006. The answering brief is due February 16, 2006. The optional reply brief is due 14 days after service of the answering brief. This order was issued prior to the expiration of time within which a response may be filed. Fed. R. App. P. 27(b).

The opening brief was due December 12, 2005. The appellant is reminded that a motion for an extension of time to file a brief should be filed at least seven days before the expiration of the time prescribed for filing the brief. 9th Cir. R. 31-2.2(b). The appellant is also reminded that if a court reporter fails to timely prepare transcripts, the appellant should notify this court of the need to modify the

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briefing schedule by submitting a notice pursuant to Ninth Circuit Rule 11-1.2
within 14 days after the due date for the transcripts.

For the Court:

CATHY A. CATTERSON

Clerk of the Court

A handwritten signature in black ink, appearing to read "Teresa A. Haugen", is written over a horizontal line.

Teresa A. Haugen, Deputy Clerk

9th Cir. R. 27-7/Advisory Note to R. 27
and 9th Cir. R. 27-10

promo 12.26